

RESTORATION OF APPROPRIATION

THAT PORTION OF THE PROVO RIVER BETWEEN ITS HEAD WATERS AND DEER CREEK DAM AND SPANISH FORK RIVER AND ALL TRIBUTARIES TO SAID STREAMS

WHEREAS, by proclamation dated December 19, 1946, the Governor of the State of Utah, pursuant to Section 100-8-1, U.C.A., 1943, (now Section 73-6-1 U.C.A., 1953) suspended the right of the public to appropriate water from the following sources:

Green River, in Daggett and Uintah Counties; Little Brush Creek, Brush Creek, Ashley Creek, Uintah River, Yellowstone Creek, Lake Fork Creek, Rock Creek, Duchesne River, Strawberry River, Provo River, Spanish Fork Creek and all tributaries of said streams.

PROVIDED, HOWEVER, there is excepted from the effect of this proclamation as to the streams named above (1) isolated water holes, springs and underground water in the drainage areas of the streams named above; (2) applications for appropriation of not exceeding five second-feet of water for any one project; (3) applications for change of point of diversion, place and nature of use of such surface and underground water and (4) applications for exchange.

AND WHEREAS, the right to appropriate water from the Green River in Daggett and Uintah Counties was restored by proclamation dated June 25, 1958; the right to appropriate water from the Provo River below Deer Creek Dam was restored by proclamation dated December 23, 1948; and the right to appropriate water from Little Brush Creek, Brush Creek, Ashley Creek, Uintah River, Yellowstone Creek, Lake Fork Creek, Rock Creek, Duchesne River and Strawberry River was restored by proclamation dated November 2, 1964, and

WHEREAS, the purposes sought to be accomplished by said withdrawal have been achieved on that portion of the Provo River between its headwaters and Deer Creek Dam and Spanish Fork River and all tributaries to said streams and there is no need for further suspension of the right of appropriation on these sources, and

WHEREAS, the State Engineer has recommended that the right of the appropriation on that portion of the Provo River between its head waters and Deer Creek Dam and Spanish Fork River and all tributaries be restored,

NOW, THEREFORE, I Calvin L. Rampton; Governor of the State of Utah, on the recom-

mendation of the State Engineer of Utah, and pursuant and by virtue of the authority vested in me by Section 73-6-2, U.C.A., 1953, do hereby restore to the public the right to appropriate the surplus and unappropriated water for any and all lawful purposes from that portion of the Provo River between its headwaters and Deer Creek Dam and Spanish Fork River and all tributaries to said streams.

This proclamation shall become effective April 5, 1971, after notice thereof has been published at least once a week for three successive weeks in newspapers of general circulation within the drainage basins of the Provo and Spanish Fork Rivers; provided, however, that after the first publication of said notice, applications may be deposited with the State Engineer and at the time such proclamation becomes effective the State Engineer shall hold public hearings giving all applicants notice to determine which applications so filed during the period of publication are most conducive to the public good, and shall file such applications in order of priority according to such determination and rejecting those for which there is no unappropriated water.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah, Done at the State Capitol, Salt Lake City, Utah, this 5th day of March 1971, at 11:50 o'clock a.m.

/s/ Calvin L. Rampton
GOVERNOR OF THE STATE
OF UTAH

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